

**WASHINGTON COUNTY COMMISSION
MEETING MINUTES
NOVEMBER 19, 2013**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on November 19, 2013, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Dennis Drake, Commissioner Alan Gardner, Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine S. Hall.

Chairman Drake led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for October 16, 2013, through November 19, 2013
- Consideration of Regular Commission Meeting Minutes of October 15, 2013, and Emergency Meeting Minutes of October 7, 2013
- Consideration of Administrative Adjustments: Real Property
- Consideration of Administrative Adjustments: Personal Property
- Consideration of Applications for Property Tax Abatement:
Norma Kirk, S/N SG-SCMST-1-12; Greg Amidan, A/N 0050685; Susan Hicks, S/N WHS-2-109-SW; Kenneth & Venice Spendlove, S/N H-SES-2-A-1; Anita Jodon, S/N SG-SUVT-1-15; Dolores Spendlove, S/N H-MES-1-18; Danny Greathouse, S/N W-WE-10; Martin & Joan Verhoef, A/N 0580251; Paul & Heather Geertsens, S/N SG-MPH-3-30; Howard & Anita Cohne, S/N SG-TONQ-2-34; Robert & Pamela Moore, S/N I-BLS-10; Robert Cary, A/N 0521834; Robert Tobler & Leanne Valentine, S/N SG-CYRC-2-49; Richard A. Burningham, A/N 0120983; Robert & Sherrill Lessig, S/N SG-SFRC-5-139; Billie & Bonnie Dare, S/N SG-BSA-2-201; Jan & Dowell Smith, S/N SG-SUR-18-1331; Harold & Leah Duke, A/N 0699820; Robert & Autumn Reid, S/N SG-GS-10-11-A; Gordon & Darla Rock, A/N 0786189; James & Helen Loer, A/N 0447808; Alex & Chauncey Turley, A/N 0589872
- Consideration of Applications for Settlement/Deferral of Property Taxes: James Alldredge, Sr., S/N I-WHMH-21

- Consideration of Renewal of Library Transport Agreements between the Washington County Library System and Bret Bowler (Enterprise), Robert Groke (New Harmony), and Sheralyn Madsen (Springdale)
- Consideration of Renewal of Public Defender Contracts for 2014 between Washington County and Michael Rawson, Michael Lastowski, Leah Jensen, Lamar J. Winward, Jay Winward, Douglas D. Terry (2), Benjamin Gordon, Aric Cramer (2), Travis Marker, and Gary Kuhlmann

MOTION: Motion by Commissioner Drake to Approve the Consent Agenda with the following exceptions: (1) the Application for Property Tax Abatement Account Number 0589872 is Denied; and (2) the Consideration of Renewal of Public Defender Contracts is Tabled. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

VOLUNTEER OF THE MONTH / CAROL HOLLOWELL

Volunteer Center Director Carol Hollowell presented the Volunteer of the Month award to Fila Bukowiecki and recognized her many hours of volunteer service in Washington County.

EMERGENCY SERVICES REPORT / UNDERSHERIFF BART BAILEY

Undersheriff Bart Bailey reported on three (3) search and rescue call-outs for the preceding month:

- North Fork of the Subway, Zion National Park, search for a fallen hiker
- North Main in Hurricane, man fell off a cliff, rescued by High-Angle Team
- Babylon Mill Area, investigated reports of human remains in mine shaft

A total of ninety-four point five (94.5) man hours were spent by the Search and Rescue volunteers.

REPORT ON 2013 FIRE SEASON / WASHINGTON COUNTY FIRE WARDEN ADAM HEYDER

Mike Melton, Fire Management Officer with the State of Utah Forestry, Fire and State Lands, presented his report on human-caused fires in Washington County from 2009-2013, both in the unincorporated areas of the county and as an assist to towns and cities within the county. Mr. Melton mentioned that the incidence of these fires is down, due in

large part to the recent monsoons that provided much-needed water. The reduction in fires is also attributable to increased public awareness, enhanced suppression resources, and prosecutions and cost recovery efforts. He said that the fire-suppression model in Washington County is the best in the state.

Fire Warden Adam Heyder cautioned that there is still a lot of potential fuel in the County, so we should continue to be vigilant. He added that the support of the Commission makes their jobs easier.

PRESENTATION: PRELIMINARY 2014 WASHINGTON COUNTY BUDGET / KIM HAFEN

Washington County Clerk-Auditor Kim M. Hafen presented the proposed 2014 Washington County budget for consideration. A complete copy of that budget is available for review in the office of the Clerk-Auditor. The final budget will be considered for adoption at the Commission meeting on December 17, 2013.

- There has been an uptick in revenues from sales tax, restaurant and room taxes
- It is always a good idea to be conservative in the prediction of revenues
- The 2014 budget contains a modest salary increase for county employees, the first step increase in six (6) years for many employees
- The budget contains no property tax increases
- Washington County continues to have one of the lowest property tax rates in the state
- The budget has not required an increase to cover medical expense in the past six (6) years because the County's self-funded medical insurance has contained costs very well

MOTION: Motion by Commissioner Gardner to Approve the Preliminary 2014 Washington County Budget, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PRESENTATION OF 2014 WASHINGTON COUNTY MUNICIPAL ELECTION CANVASS / KIM HAFEN

Mr. Hafen said that the County assisted some local municipalities (St. George, Santa Clara, Ivins, and Washington City) in their election process, including the School District, which proposed a bond for the construction of new schools.

One result of the Municipal Election requiring Commission approval is the vote of the citizens of the North Central Fire Special Service District (NCFSSD), in the Enterprise area, to pay their portion of fees for fire protection as a property tax levy.

MOTION: Motion by Commissioner Gardner to Accept the election results from the North Central Fire Special Service District. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF APPROVAL OF CONTRACT FOR WASHINGTON COUNTY INDEPENDENT AUDITING SERVICES / KIM HAFEN

Mr. Hafen said that the selection of an independent auditing service was sent out to bid, and the low bidder was Hinton Burdick (a local firm). He asked for approval of the issuance of that contract to Hinton Burdick for a period of three (3) years, plus two (2) optional additional years.

MOTION: Motion by Commissioner Gardner to Approve the Contract between Washington County and Hinton Burdick for Independent Auditing Services and for a Single Audit of Funds Received from the Federal Government. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PURCHASE REQUESTS / MARK BLANCH

No purchase requests were presented today.

CONSIDERATION OF ORDINANCE NO. 2013-1032-O, AN ORDINANCE AMENDING THE WASHINGTON COUNTY ZONING ORDINANCE PERMITTING CAMPGROUNDS IN ADDITIONAL ZONES AND CLARIFYING TIME LIMITATIONS ON CONDITIONAL USE PERMITS

Washington County Deputy County Attorney Eric Clarke said that this ordinance clears up some ambiguities in the current land-use ordinance. The County will continue to comply with state regulations for any proposed commercial campground.

MOTION: Motion by Commissioner Drake to Adopt Ordinance No. 2013-1032-O, an Ordinance Amending the Washington County Zoning Ordinance Permitting Campgrounds In Additional Zones and Clarifying Time Limitations on Conditional Use Permits. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1760, A RESOLUTION APPOINTING/RE-APPOINTING MEMBERS TO THE ANGEL SPRINGS SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1760, a Resolution Appointing Jean Wojtola and Re-Appointing Mike Elmer to the Angel Springs Special Service District Administrative Control Board, with terms to expire December 31, 2016. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1761, A RESOLUTION RE-APPOINTING MEMBERS TO THE SOUTHWEST UTAH BOARD OF HEALTH

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1761, a Resolution Re-Appointing James J. Eardley and Linda Rider to the Southwest Utah Board of Health, with terms to expire December 31, 2016. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1762, A RESOLUTION APPOINTING TYLER SATTERFIELD AS A DEPUTY COUNTY CONSTABLE

Washington County Administrator Dean Cox said that Constable Andre Brazzle asked that Mr. Satterfield be appointed a Deputy Constable, to act under his supervision. The County requested and received all pertinent documents, including POST certification, insurance coverage, resume, etc.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1762, a Resolution Appointing Tyler Satterfield as a Deputy County Constable. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1763, A RESOLUTION OF APPOINTMENT OF A WASHINGTON COUNTY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL ANNUAL MEMBERSHIP MEETING

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1763, a Resolution of Appointment of James J. Eardley as Washington County Representative and Christine S. Hall as Alternate

Representative for the Utah Counties Indemnity Pool Annual Membership Meeting. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1764, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE UTAH OFFICE OF STATE DEBT COLLECTION AND WASHINGTON COUNTY REGARDING DELINQUENT CRIMINAL FINES AND RESTITUTION FROM JUSTICE COURT CASES

Mr. Clarke said that this new Memorandum of Understanding (MOU) will allow our Justice Court to work with the State Office of Debt Collection, which was created for the purpose of collecting debts on behalf of courts in Utah. This MOU operates in conjunction with a previous agreement entered into by the Assessor's Office in order to recover personal property taxes that were in arrears. This MOU pertains to the justice court for the collection of criminal fines and past-due judgments.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1764, a Resolution Approving a Memorandum of Understanding Between The Utah Office Of State Debt Collection and Washington County Regarding Delinquent Criminal Fines and Restitution From Justice Court Cases. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COMMISSIONERS' REPORT

No report was made today.

PUBLIC WORKS OR ROAD BUSINESS

Mr. Whitehead advised that his department will resume its work on Natural Resource Conservation Service (NRCS) river repair projects now that the U. S. Fish & Wildlife Service has given its consent. The first project will be rock armoring along the area where the Virgin River crosses underneath River Road.

COUNTY DEVELOPMENT AND PLANNING BUSINESS / REVIEW OF PLANNING COMMISSION ACTIONS NOVEMBER 12, 2013:

County Planner Scott Messel reviewed the following actions:

Conditional Use Permit Extension: Review Request to install an equipment building and solar panels within the SFR-1 zone on land owned by Washington County Water Conservancy District located in Kolob near the entrance to Whispering Pines on the southwest corner of Parcel 1061-A-HV; Beehive Telephone, applicant. *Planning Commission approved unanimously.*

Final Plat: Review of final plat for Browse Minor Subdivision which consists of one 23-acre lot located south of Pintura on the east side of I-15, Parcel 3126-LS, zoned A-20; William and Nora Davis, applicants. *Planning Commission approved unanimously.*

Request A Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 5:17 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN